

further consideration of House Resolution 1448 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Is there objection to the request of the gentlewoman from New York?

There was no objection.

The text of the resolution is as follows:

H. RES. 1448

Resolved, That the Committee on the Judiciary shall inquire whether the House should impeach G. Thomas Porteous, a judge of the United States District Court for the Eastern District of Louisiana.

SEC. 2. The Committee on the Judiciary or any subcommittee or task force designated by the Committee may, in connection with the inquiry under this resolution, take affidavits and depositions by a member, counsel, or consultant of the Committee, pursuant to notice or subpoena.

SEC. 3. There shall be paid out of the applicable accounts of the House such sums as may be necessary to assist the Committee on the Judiciary in conducting the inquiry under this resolution, any of which may be used for the procurement of staff or consultant services.

SEC. 4. (a) For the purpose of the inquiry under this resolution, the Committee on the Judiciary is authorized to require by subpoena or otherwise—

(1) the attendance and testimony of any person (including at a taking of a deposition by counsel or consultant of the Committee); and

(2) the production of such things; as it deems necessary to such inquiry.

(b) The Chairman of the Committee on the Judiciary, after consultation with the Ranking Member, may exercise the authority of the Committee under subsection (a).

(c) The Committee on the Judiciary may adopt a rule regulating the taking of depositions by a member, counsel, or consultant of the Committee, including pursuant to subpoena.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of the resolution just adopted.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2169

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to remove Congressman RICK LARSEN from H.R. 2169, the Clean Water Protection Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

EXPAND AND PRESERVE HOME OWNERSHIP THROUGH COUN- SELING ACT

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3019) to establish an Office of Housing Counseling to carry out and coordinate the responsibilities of the Department of Housing and Urban Development regarding counseling on homeownership and rental housing issues, to make grants to entities for providing such counseling, to launch a national housing counseling advertising campaign, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Expand and Preserve Home Ownership Through Counseling Act".

SEC. 2. ESTABLISHMENT OF OFFICE OF HOUSING COUNSELING.

Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

"(g) OFFICE OF HOUSING COUNSELING.—

"(1) ESTABLISHMENT.—There is established, in the Office of the Secretary, the Office of Housing Counseling.

"(2) DIRECTOR.—There is established the position of Director of Housing Counseling. The Director shall be the head of the Office of Housing Counseling and shall be appointed by the Secretary. Such position shall be a career-reserved position in the Senior Executive Service.

"(3) FUNCTIONS.—

"(A) IN GENERAL.—The Director shall have ultimate responsibility within the Department, except for the Secretary, for all activities and matters relating to homeownership counseling and rental housing counseling, including—

"(i) research, grant administration, public outreach, and policy development relating to such counseling; and

"(ii) establishment, coordination, and administration of all regulations, requirements, standards, and performance measures under programs and laws administered by the Department that relate to housing counseling, homeownership counseling (including maintenance of homes), mortgage-related counseling (including home equity conversion mortgages and credit protection options to avoid foreclosure), and rental housing counseling, including the requirements, standards, and performance measures relating to housing counseling.

"(B) SPECIFIC FUNCTIONS.—The Director shall carry out the functions assigned to the Director and the Office under this section and any other provisions of law. Such functions shall include establishing rules necessary for—

"(i) the counseling procedures under section 106(g)(1) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(h)(1));

"(ii) carrying out all other functions of the Secretary under section 106(g) of the Housing and Urban Development Act of 1968, including the establishment, operation, and publication of the availability of the toll-free telephone number under paragraph (2) of such section;

"(iii) carrying out section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604) for home buying information booklets prepared pursuant to such section;

"(iv) carrying out the certification program under section 106(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(e));

"(v) carrying out the assistance program under section 106(a)(4) of the Housing and Urban Development Act of 1968, including criteria for selection of applications to receive assistance;

"(vi) carrying out any functions regarding abusive, deceptive, or unscrupulous lending practices relating to residential mortgage loans that the Secretary considers appropriate, which shall include conducting the study under section 6 of the Expand and Preserve Home Ownership Through Counseling Act;

"(vii) providing for operation of the advisory committee established under paragraph (4) of this subsection;

"(viii) collaborating with community-based organizations with expertise in the field of housing counseling; and

"(ix) providing for the building of capacity to provide housing counseling services in areas that lack sufficient services.

"(4) ADVISORY COMMITTEE.—

"(A) IN GENERAL.—The Secretary shall appoint an advisory committee to provide advice regarding the carrying out of the functions of the Director.

"(B) MEMBERS.—Such advisory committee shall consist of not more than 12 individuals, and the membership of the committee shall equally represent all aspects of the mortgage and real estate industry, including consumers.

"(C) TERMS.—Except as provided in subparagraph (D), each member of the advisory committee shall be appointed for a term of 3 years. Members may be reappointed at the discretion of the Secretary.

"(D) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the members first appointed to the advisory committee, 4 shall be appointed for a term of 1 year and 4 shall be appointed for a term of 2 years.

"(E) PROHIBITION OF PAY; TRAVEL EXPENSES.—Members of the advisory committee shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

"(F) ADVISORY ROLE ONLY.—The advisory committee shall have no role in reviewing or awarding housing counseling grants.

"(5) SCOPE OF HOMEOWNERSHIP COUNSELING.—In carrying out the responsibilities of the Director, the Director shall ensure that homeownership counseling provided by, in connection with, or pursuant to any function, activity, or program of the Department addresses the entire process of homeownership, including the decision to purchase a home, the selection and purchase of a home, issues arising during or affecting the period of ownership of a home (including refinancing, default and foreclosure, and other financial decisions), and the sale or other disposition of a home."

SEC. 3. COUNSELING PROCEDURES.

(a) IN GENERAL.—Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x) is amended by adding at the end the following new subsection:

“(g) PROCEDURES AND ACTIVITIES.—

“(1) COUNSELING PROCEDURES.—

“(A) IN GENERAL.—The Secretary shall establish, coordinate, and monitor the administration by the Department of Housing and Urban Development of the counseling procedures for homeownership counseling and rental housing counseling provided in connection with any program of the Department, including all requirements, standards, and performance measures that relate to homeownership and rental housing counseling.

“(B) HOMEOWNERSHIP COUNSELING.—For purposes of this subsection and as used in the provisions referred to in this subparagraph, the term ‘homeownership counseling’ means counseling related to homeownership and residential mortgage loans. Such term includes counseling related to homeownership and residential mortgage loans that is provided pursuant to—

“(i) section 105(a)(20) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(20));

“(ii) in the United States Housing Act of 1937—

“(I) section 9(e) (42 U.S.C. 1437g(e));

“(II) section 8(y)(1)(D) (42 U.S.C. 1437f(y)(1)(D));

“(III) section 18(a)(4)(D) (42 U.S.C. 1437p(a)(4)(D));

“(IV) section 23(c)(4) (42 U.S.C. 1437u(c)(4));

“(V) section 32(e)(4) (42 U.S.C. 1437z-4(e)(4));

“(VI) section 33(d)(2)(B) (42 U.S.C. 1437z-5(d)(2)(B));

“(VII) sections 302(b)(6) and 303(b)(7) (42 U.S.C. 1437aaa-1(b)(6), 1437aaa-2(b)(7)); and

“(VIII) section 304(c)(4) (42 U.S.C. 1437aaa-3(c)(4));

“(iii) section 302(a)(4) of the American Homeownership and Economic Opportunity Act of 2000 (42 U.S.C. 1437f note);

“(iv) sections 233(b)(2) and 258(b) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12773(b)(2), 12808(b));

“(v) this section and section 101(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x, 1701w(e));

“(vi) section 220(d)(2)(G) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4110(d)(2)(G));

“(vii) sections 422(b)(6), 423(b)(7), 424(c)(4), 442(b)(6), and 443(b)(6) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12872(b)(6), 12873(b)(7), 12874(c)(4), 12892(b)(6), and 12893(b)(6));

“(viii) section 491(b)(1)(F)(iii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11408(b)(1)(F)(iii));

“(ix) sections 202(3) and 810(b)(2)(A) of the Native American Housing and Self-Determination Act of 1996 (25 U.S.C. 4132(3), 4229(b)(2)(A));

“(x) in the National Housing Act—

“(I) in section 203 (12 U.S.C. 1709), the penultimate undesignated paragraph of paragraph (2) of subsection (b), subsection (c)(2)(A), and subsection (r)(4);

“(II) subsections (a) and (c)(3) of section 237 (12 U.S.C. 1715z-2); and

“(III) subsections (d)(2)(B) and (m)(1) of section 255 (12 U.S.C. 1715z-20);

“(xi) section 502(h)(4)(B) of the Housing Act of 1949 (42 U.S.C. 1472(h)(4)(B)); and

“(xii) section 508 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-7).

“(C) RENTAL HOUSING COUNSELING.—For purposes of this subsection, the term ‘rental housing counseling’ means counseling related to rental of residential property, which may include counseling regarding future homeownership opportunities and providing referrals for renters and prospective renters to entities providing counseling and shall include counseling related to such topics that is provided pursuant to—

“(i) section 105(a)(20) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(20));

“(ii) in the United States Housing Act of 1937—

“(I) section 9(e) (42 U.S.C. 1437g(e));

“(II) section 18(a)(4)(D) (42 U.S.C. 1437p(a)(4)(D));

“(III) section 23(c)(4) (42 U.S.C. 1437u(c)(4));

“(IV) section 32(e)(4) (42 U.S.C. 1437z-4(e)(4));

“(V) section 33(d)(2)(B) (42 U.S.C. 1437z-5(d)(2)(B)); and

“(VI) section 302(b)(6) (42 U.S.C. 1437aaa-1(b)(6));

“(iii) section 233(b)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12773(b)(2));

“(iv) section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x);

“(v) section 422(b)(6) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12872(b)(6));

“(vi) section 491(b)(1)(F)(iii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11408(b)(1)(F)(iii));

“(vii) sections 202(3) and 810(b)(2)(A) of the Native American Housing and Self-Determination Act of 1996 (25 U.S.C. 4132(3), 4229(b)(2)(A)); and

“(viii) the rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

“(2) STANDARDS FOR MATERIALS.—The Secretary, in conjunction with the advisory committee established under section 4(g)(4) of the Department of Housing and Urban Development Act (42 U.S.C. 3533(g)(4)), shall establish standards for materials and forms to be used, as appropriate, by organizations providing homeownership counseling services, including any recipients of assistance pursuant to subsection (a)(4).

“(3) MORTGAGE SOFTWARE SYSTEMS.—

“(A) CERTIFICATION.—The Secretary shall provide for the certification of various computer software programs for consumers to use in evaluating different residential mortgage loan proposals. The Secretary shall require, for such certification, that the mortgage software systems take into account—

“(i) the consumer’s financial situation and the cost of maintaining a home, including insurance, taxes, and utilities;

“(ii) the amount of time the consumer expects to remain in the home or expected time to maturity of the loan;

“(iii) such other factors as the Secretary considers appropriate to assist the consumer in evaluating whether to pay points, to lock in an interest rate, to select an adjustable or fixed rate loan, to select a conventional or government-insured or guaranteed loan and to make other choices during the loan application process.

If the Secretary determines that available existing software is inadequate to assist consumers during the residential mortgage loan application process, the Secretary shall arrange for the development by private sector software companies of new mortgage software systems that meet the Secretary’s specifications.

“(B) USE AND INITIAL AVAILABILITY.—Such certified computer software programs shall be used to supplement, not replace, housing counseling. The Secretary shall provide that such programs are initially used only in connection with the assistance of housing counselors certified pursuant to subsection (e).

“(C) AVAILABILITY.—After a period of initial availability under subparagraph (B) as the Secretary considers appropriate, the Secretary shall take reasonable steps to make mortgage software systems certified pursuant to this paragraph widely available through the Internet and at public locations,

including public libraries, senior-citizen centers, public housing sites, offices of public housing agencies that administer rental housing assistance vouchers, and housing counseling centers.

“(4) NATIONAL PUBLIC SERVICE MULTIMEDIA CAMPAIGNS TO PROMOTE HOUSING COUNSELING.—

“(A) IN GENERAL.—The Director of Housing Counseling shall develop, implement, and conduct national public service multimedia campaigns designed to make persons facing mortgage foreclosure, persons considering a subprime mortgage loan to purchase a home, elderly persons, persons who face language barriers, low-income persons, and other potentially vulnerable consumers aware that it is advisable, before seeking or maintaining a residential mortgage loan, to obtain homeownership counseling from an unbiased and reliable source and that such homeownership counseling is available, including through programs sponsored by the Secretary of Housing and Urban Development.

“(B) CONTACT INFORMATION.—Each segment of the multimedia campaign under subparagraph (A) shall publicize the toll-free telephone number and web site of the Department of Housing and Urban Development through which persons seeking housing counseling can locate a housing counseling agency in their State that is certified by the Secretary of Housing and Urban Development and can provide advice on buying a home, renting, defaults, foreclosures, credit issues, and reverse mortgages.

“(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary, not to exceed \$3,000,000 for fiscal years 2008, 2009, and 2010, for the develop, implement, and conduct of national public service multimedia campaigns under this paragraph.

“(5) EDUCATION PROGRAMS.—The Secretary shall provide advice and technical assistance to States, units of general local government, and nonprofit organizations regarding the establishment and operation of, including assistance with the development of content and materials for, educational programs to inform and educate consumers, particularly those most vulnerable with respect to residential mortgage loans (such as elderly persons, persons facing language barriers, low-income persons, and other potentially vulnerable consumers), regarding home mortgages, mortgage refinancing, home equity loans, and home repair loans.”.

(b) CONFORMING AMENDMENTS TO GRANT PROGRAM FOR HOMEOWNERSHIP COUNSELING ORGANIZATIONS.—Section 106(c)(5)(A)(ii) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)) is amended—

(1) in subclause (III), by striking “and” at the end;

(2) in subclause (IV) by striking the period at the end and inserting “; and”; and

(3) by inserting after subclause (IV) the following new subclause:

“(V) notify the housing or mortgage applicant of the availability of mortgage software systems provided pursuant to subsection (g)(3).”.

SEC. 4. GRANTS FOR HOUSING COUNSELING ASSISTANCE.

Section 106(a) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(3)) is amended by adding at the end the following new paragraph:

“(4) HOMEOWNERSHIP AND RENTAL COUNSELING ASSISTANCE.—

“(A) IN GENERAL.—The Secretary shall make financial assistance available under this paragraph to States, units of general local governments, and nonprofit organizations providing homeownership or rental counseling (as such terms are defined in subsection (g)(1)).

“(B) QUALIFIED ENTITIES.—The Secretary shall establish standards and guidelines for eligibility of organizations (including governmental and nonprofit organizations) to receive assistance under this paragraph.

“(C) DISTRIBUTION.—Assistance made available under this paragraph shall be distributed in a manner that encourages efficient and successful counseling programs.

“(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$45,000,000 for each of fiscal years 2008 through 2011 for—

“(i) the operations of the Office of Housing Counseling of the Department of Housing and Urban Development;

“(ii) the responsibilities of the Secretary under paragraphs (2) through (5) of subsection (g); and

“(iii) assistance pursuant to this paragraph for entities providing homeownership and rental counseling.”.

SEC. 5. REQUIREMENTS TO USE HUD-CERTIFIED COUNSELORS UNDER HUD PROGRAMS.

Section 106(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(e)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

“(1) REQUIREMENT FOR ASSISTANCE.—An organization may not receive assistance for counseling activities under subsection (a)(1)(iii), (a)(2), (a)(4), (c), or (d) of this section, or under section 101(e), unless the organization, or the individuals through which the organization provides such counseling, has been certified by the Secretary under this subsection as competent to provide such counseling.”;

(2) in paragraph (2)—

(A) by inserting “and for certifying organizations” before the period at the end of the first sentence; and

(B) in the second sentence by striking “for certification” and inserting “, for certification of an organization, that each individual through which the organization provides counseling shall demonstrate, and, for certification of an individual.”;

(3) in paragraph (3), by inserting “organizations and” before “individuals”;

(4) by redesignating paragraph (3) as paragraph (5); and

(5) by inserting after paragraph (2) the following new paragraphs:

“(3) REQUIREMENT UNDER HUD PROGRAMS.—Any homeownership counseling or rental housing counseling (as such terms are defined in subsection (g)(1) required under, or provided in connection with, any program administered by the Department of Housing and Urban Development shall be provided only by organizations or counselors certified by the Secretary under this subsection as competent to provide such counseling.

“(4) OUTREACH.—The Secretary shall take such actions as the Secretary considers appropriate to ensure that individuals and organizations providing homeownership or rental housing counseling are aware of the certification requirements and standards of this subsection and of the training and certification programs under subsection (f).”.

SEC. 6. STUDY OF DEFAULTS AND FORECLOSURES.

The Secretary of Housing and Urban Development shall conduct an extensive study of the root causes of default and foreclosure of home loans, using as much empirical data as are available. The study shall also examine the role of escrow accounts in helping prime and nonprime borrowers to avoid defaults and foreclosures. Not later than 12 months after the date of the enactment of this Act, the Secretary shall submit to the Congress a preliminary report regarding the study. Not later than 24 months after such date of en-

actment, the Secretary shall submit a final report regarding the results of the study, which shall include any recommended legislation relating to the study, and recommendations for best practices and for a process to identify populations that need counseling the most.

SEC. 7. DEFINITIONS FOR COUNSELING-RELATED PROGRAMS.

Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(h) DEFINITIONS.—For purposes of this section:

“(1) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ has the meaning given such term in section 104(5) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704(5)), except that subparagraph (D) of such section shall not apply for purposes of this section.

“(2) STATE.—The term ‘State’ means each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Trust Territories of the Pacific, or any other possession of the United States.

“(3) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ‘unit of general local government’ means any city, county, parish, town, township, borough, village, or other general purpose political subdivision of a State.”.

SEC. 8. UPDATING AND SIMPLIFICATION OF MORTGAGE INFORMATION BOOKLET.

Section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604) is amended—

(1) in the section heading, by striking “SPECIAL” and inserting “HOME BUYING”;

(2) by striking subsections (a) and (b) and inserting the following new subsections:

“(a) PREPARATION AND DISTRIBUTION.—The Secretary shall prepare, at least once every 5 years, a booklet to help consumers applying for federally related mortgage loans to understand the nature and costs of real estate settlement services. The Secretary shall prepare the booklet in various languages and cultural styles, as the Secretary determines to be appropriate, so that the booklet is understandable and accessible to homebuyers of different ethnic and cultural backgrounds. The Secretary shall distribute such booklets to all lenders that make federally related mortgage loans. The Secretary shall also distribute to such lenders lists, organized by location, of homeownership counselors certified under section 106(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(e)) for use in complying with the requirement under subsection (c) of this section.

“(b) CONTENTS.—Each booklet shall be in such form and detail as the Secretary shall prescribe and, in addition to such other information as the Secretary may provide, shall include in plain and understandable language the following information:

“(1) A description and explanation of the nature and purpose of the costs incident to a real estate settlement or a federally related mortgage loan. The description and explanation shall provide general information about the mortgage process as well as specific information concerning, at a minimum—

“(A) balloon payments;

“(B) prepayment penalties; and

“(C) the trade-off between closing costs and the interest rate over the life of the loan.

“(2) An explanation and sample of the uniform settlement statement required by section 4.

“(3) A list and explanation of lending practices, including those prohibited by the Truth in Lending Act or other applicable Federal law, and of other unfair practices and unreasonable or unnecessary charges to be avoided by the prospective buyer with respect to a real estate settlement.

“(4) A list and explanation of questions a consumer obtaining a federally related mortgage loan should ask regarding the loan, including whether the consumer will have the ability to repay the loan, whether the consumer sufficiently shopped for the loan, whether the loan terms include prepayment penalties or balloon payments, and whether the loan will benefit the borrower.

“(5) An explanation of the right of rescission as to certain transactions provided by sections 125 and 129 of the Truth in Lending Act.

“(6) A brief explanation of the nature of a variable rate mortgage and a reference to the booklet entitled ‘Consumer Handbook on Adjustable Rate Mortgages’, published by the Board of Governors of the Federal Reserve System pursuant to section 226.19(b)(1) of title 12, Code of Federal Regulations, or to any suitable substitute of such booklet that such Board of Governors may subsequently adopt pursuant to such section.

“(7) A brief explanation of the nature of a home equity line of credit and a reference to the pamphlet required to be provided under section 127A of the Truth in Lending Act.

“(8) Information about homeownership counseling services made available pursuant to section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)), a recommendation that the consumer use such services, and notification that a list of certified providers of homeownership counseling in the area, and their contact information, is available.

“(9) An explanation of the nature and purpose of escrow accounts when used in connection with loans secured by residential real estate and the requirements under section 10 of this Act regarding such accounts.

“(10) An explanation of the choices available to buyers of residential real estate in selecting persons to provide necessary services incidental to a real estate settlement.

“(11) An explanation of a consumer’s responsibilities, liabilities, and obligations in a mortgage transaction.

“(12) An explanation of the nature and purpose of real estate appraisals, including the difference between an appraisal and a home inspection.

“(13) Notice that the Office of Housing of the Department of Housing and Urban Development has made publicly available a brochure regarding loan fraud and a World Wide Web address and toll-free telephone number for obtaining the brochure.

The booklet prepared pursuant to this section shall take into consideration differences in real estate settlement procedures that may exist among the several States and territories of the United States and among separate political subdivisions within the same State and territory.”;

(3) in subsection (c), by inserting at the end the following new sentence: “Each lender shall also include with the booklet a reasonably complete or updated list of homeownership counselors who are certified pursuant to section 106(e) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(e)) and located in the area of the lender.”; and

(4) in subsection (d), by inserting after the period at the end of the first sentence the following: “The lender shall provide the HUD-issued booklet in the version that is most appropriate for the person receiving it.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

Today, I rise in support of H.R. 3019, the Expand and Preserve Home Ownership through Counseling Act. This important legislation establishes an office of housing counseling at the Department of Housing and Urban Development to carry out and to coordinate the responsibilities of the Department with respect to counseling on homeownership and rental housing issues.

The House of Representatives has already approved this bipartisan bill in three separate measures that have passed during this Congress. They include H.R. 3915, the Mortgage Reform and Anti-Predatory Lending Act of 2007; H.R. 5830, the FHA Housing Stabilization and Home Ownership Retention Act of 2008; and the initial House version of H.R. 3221, the Housing and Economic Recovery Act of 2008.

□ 1815

Given that the Senate has yet to act upon this important housing counseling measure, it is important that the House pass this legislation as a stand-alone bill.

HUD's current Housing Counseling Program authorizes HUD to provide or contract with organizations to provide counseling and advice to tenants, homeowners and low and moderate income families on a range of housing issues. However, the current program lacks the stature, organization and prominence in the Department to help ensure that its counseling activities are high quality, widely available and well-coordinated within other Department activities.

In the midst of this foreclosure crisis, this extraordinary crisis we are going through at this very moment in our financial markets, there can be no doubt that housing counseling, whether it is pre-purchase or post-purchase, is a vital component of the homeownership process, and I urge this House to support this bill, which will create an Office of Housing Counseling at HUD to better focus the Department's resources in this area.

Now, specifically this bill will do the following: It establishes an Office of Housing Counseling to carry out and coordinate the responsibilities of the

Department with respect to counseling on homeownership and rental housing issues; it will require and facilitate the coordination of HUD's homeownership and rental housing counseling programs, including programs targeted at low and moderate income individuals, the homeless and senior citizens; it will require the launch of a national public service multi-media campaign to promote housing counseling, including the establishment of a Web site and toll-free hotline; and it will authorize the assurance of homeownership and rental housing counseling grants to HUD-certified State, local and nonprofit organizations.

This is an important and critical piece of legislation, and much needed, for all we know that the need for housing counseling far outstrips its current availability. The enactment of H.R. 3019 is a major step in addressing this need in a very comprehensive, thorough, efficient and effective manner, and I urge this full House to support this very important bipartisan home counseling legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the author of H.R. 3019, the Expand and Preserve Home Ownership Through Counseling Act, I urge my colleagues to support this legislation. First let me thank Congressman Ruben Hinojosa for being the lead Democrat on this bill.

In 2005, we founded the House Financial and Economic Literacy Caucus, which is now over 75 members strong, and we have been working together on this issue for a very long time. This bill is just one more example of how financial literacy can promote economic security and empower Americans to make more informed decisions.

Second, I would like to thank Chairman FRANK and Ranking Member BACHUS for their support for this legislation. Both the chairman and ranking member have included the language of this bill in various mortgage and housing packages, two of which, as Mr. SCOTT said, have previously passed the House but not the other Chamber. The first time was in November of 2007, and the second time was in H.R. 3221, and that bill passed the House on May 8 of this year. Unfortunately, the Senate has not yet acted on this important legislation. It is my hope that the Senate will consider the bill as a stand-alone measure and send it to the President's desk before we adjourn this year.

What does the bill do? Well, it elevates housing counseling within the Department of Housing and Urban Development by establishing an Office of Housing Counseling and a director of that office who reports directly to the Secretary of HUD. The office will be tasked with carrying out and coordinating HUD's Home Ownership and Housing Rental Counseling Program, targeted at low and moderate income

individuals, the homeless and the seniors, just to name a few.

More specifically, the bill authorizes \$180 million over the next 4 years for HUD to operate this office, offer grants to State and local counseling agencies and launch a national outreach campaign. The bill also calls for the office to provide a report to Congress on the root causes of defaults and foreclosures, including recommendations for policy reforms and best practices, as well as identification of populations most in need of counseling.

Mr. Speaker, counseling can help guide homeowners into a loan that best meets their budgets and needs, steering them away from possible foreclosure down the road. Housing counseling, one form of financial literacy, is often the first line of defense that first-time home buyers have against predatory lending practices.

In addition, counselors can save the homes of borrowers currently facing foreclosure. So many troubled mortgage holders genuinely want to pay for their home and had solid payment histories before their rates were reset. These are people that if given the right refinancing options, can and would be able to make their monthly payments. But they need someone to help them evaluate their options, guide them through the process and facilitate discussions with their current lenders.

One thing that we have learned during this downturn in the housing market is that many Americans need to better understand the terms of financial products, including and especially mortgages. Education is one of the most important tools in our arsenal to keep our economy and American families on sound financial footing. It is my hope that by providing greater access to home counseling services, we can help to prevent a repeat performance of the recent housing bubble.

Mr. Speaker, I would like to conclude today by thanking the folks at the DuPage Homeownership Center of Northern Will County in Illinois. They have helped so many residents of the 13th Congressional District of Illinois to secure sound mortgages or avoid foreclosure. And I would like to thank all the counselors and organizations across the country that are now involved in the HOPE NOW initiative, which reported last month it had helped over 2 million homeowners to avoid foreclosure.

With that, I would urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we conclude this, let me state the appreciation this entire Congress has for the distinguished leadership of Mrs. BIGGERT on this issue. She has been a pioneer in financial literacy. She has committed a tremendous amount of her time and energy to this bill and to other bills. I want to commend her for that.

Another bill which she has provided leadership on has been a financial literacy bill of utmost importance as we see now, and that is K through 12th grade literacy programs, to get them into our schools. I think it is very important for all of us here to know, and the Nation to know, that Mrs. BIGGERT has provided sterling leadership on this entire issue of financial literacy. I certainly want to say how appreciative we all are for that leadership, Mrs. BIGGERT.

It points out, Mr. Speaker, as we look at where we are today with the downturn of the financial markets, the meltdown of our mortgage industry, at the core of it as we peel back the reasons and the causes we will all find and come to the conclusion that we have a tremendous need for financial literacy and financial education, because the core of our problem is that there are so many complicated and complex entities involved in financing, that we as a nation are coming up short on financial literacy.

To you, Mrs. BIGGERT, I thank you for your leadership on this. It has indeed been a pleasure working with you on this subject, and this bill is a testimonial to your leadership.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Georgia (Mr. SCOTT) for his very kind words. I really appreciate it. He is a wonderful member of the Financial Services Committee and is always there and always knows what is going on and always participates and does a good job. I thank you for all your work.

With that, I urge my colleagues to support this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3019, to expand and preserve home ownership through counseling, introduced by my colleague from Illinois, Representative BIGGERT. This important legislation will amend the Department of Housing and Urban Development Act to establish an Office of Housing Counseling which will conduct activities relating to homeownership and rental housing counseling.

GENERAL

When the crisis in the mortgage industry began, it primarily hit subprime borrowers. As the foreclosure crisis endured, home values started declining and eventually affected homeowners who are considered to be prime borrowers. This amendment to the Housing and Urban Development Act of 1968 will require a number of different stipulations that will encourage the expansion of home ownership with adequate information to make an informed decision. These stipulations include:

Directing the Office of the Secretary to establish, coordinate, and monitor Housing and Urban Development (HUD) administration of homeownership and rental housing counseling procedures provided in connection with any HUB program, including all related requirements, standards, and performance measures.

Requiring the Office of the Secretary to provide certification for various computer software programs for consumers to use in evaluating different residential mortgage loan proposals.

Encouraging the Director of Housing Counseling to develop, implement, and conduct national public service multimedia campaigns designed to make potential homeowners aware that counseling is available from unbiased and reliable sources.

Requiring the Secretary to provide technical and financial assistance to State governments, local governments, and non-profit organizations.

Directing the Secretary to study and report to Congress the root cause of default and foreclosure on homes.

Amending the Real Estate Settlement Procedures Act of 1974 to revise requirements for HUD booklets designed to help consumers applying for federally related mortgage loans to understand the nature of real estate settlement services.

MINORITIES

Problematic, unaffordable subprime loans are more often issued to African-American and Latino homebuyers. Nationally, African-American home purchasers were 2.7 times more likely to be issued a high cost loan than white borrowers. Latinos were 2.3 times more likely to be issued a high cost home purchase loan than white borrowers. Similarly, for refinance loans, African-Americans were 1.8 times more likely to be issued a high cost loan than whites. Latinos were 1.4 times more likely to be burdened with a high refinance cost loan than white homeowners.

These racial disparities persist even among homeowners of the same income level. In comparative terms, upper-income African-Americans were 3.3 times more likely than upper-income whites to be issued a high cost loan when purchasing a home. Upper-income Latinos were 3 times more likely than upper-income whites to be issued a high cost loan when purchasing a home.

America's lower-income and minority communities receive a disproportionate number of subprime loans and are therefore most exposed to experience default and foreclosure. Based on public data for 2006 available under the Home Mortgage Disclosure Act (HMDA), this report examines the extent of high-cost lending for 172 metropolitan areas, determines the disparities between borrowers of various races and income levels and identifies metropolitan areas that are at highest risk of facing concentrated foreclosures

CONCLUSION

I firmly believe that we must pass this legislation in order to create equal terms and equal information for every homeowner or potential homeowner in America. This legislation will ensure that information is equally available to all homebuyers and enable every person to have a fair chance to obtain the information necessary to make informed financial decisions. There is a disparity of information in our current mortgage system and H.R. 3019 will enable the Government to alleviate this disparity by improving the flow of information through house owner counseling.

I urge my colleagues to support H.R. 3019 as well, as together we search for solutions that will help constituents throughout the United States.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3019, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FRANK MELVILLE SUPPORTIVE HOUSING INVESTMENT ACT OF 2008

Mr. MURPHY of Connecticut. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5772) to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5772

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES.

(a) *SHORT TITLE.*—This Act may be cited as the “Frank Melville Supportive Housing Investment Act of 2008”.

(b) *REFERENCES.*—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, section 811 or any other provision of section 811, the reference shall be considered to be made to section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013).

SEC. 2. TENANT-BASED RENTAL ASSISTANCE THROUGH CERTIFICATE FUND.

(a) *TERMINATION OF MAINSTREAM TENANT-BASED RENTAL ASSISTANCE PROGRAM.*—Section 811 is amended—

(1) in subsection (b)—

(A) by striking the first subsection designation and all that follows through the end of subparagraph (B) of paragraph (2) and inserting the following:

“(b) *AUTHORITY TO PROVIDE ASSISTANCE.*—The Secretary is authorized to provide assistance to private nonprofit organizations to expand the supply of supportive housing for persons with disabilities, which shall be provided as—

“(1) capital advances in accordance with subsection (d)(1), and

“(2) contracts for project rental assistance in accordance with subsection (d)(2).”; and

(B) by striking “assistance under this paragraph” and inserting “Assistance under this subsection”;

(2) in subsection (d), by striking paragraph (4); and

(3) in subsection (l), by striking paragraph (1).

(b) *RENEWAL THROUGH SECTION 8.*—Section 811 is amended by adding at the end the following new subsection:

“(p) *AUTHORIZATION OF APPROPRIATIONS FOR SECTION 8 ASSISTANCE.*—

“(1) *IN GENERAL.*—There is authorized to be appropriated for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for persons with disabilities in fiscal year 2009 the amount necessary to provide a number of incremental vouchers under such section that is equal to the number of vouchers provided in fiscal year 2008 under the tenant-based rental assistance program under subsection (d)(4) of this section (as